

**Remarks**

The Office Action mailed February 9, 2006 has been carefully reviewed and the following remarks have been made in consequence thereof.

Claims 1-4 and 6-20 are pending in this application. Claim 4 has been allowed. Claim 5 has been canceled. Claims 1-3 and 6-20 stand rejected.

The rejection of Claims 1-3 and 6-20 under 35 U.S.C. 102(e) as being anticipated by Dean et al. (U.S. Pat. No. 6,239,513) is respectfully traversed.

Dean et al. describe an emergency supplemental power supply for outage protection of critical electric equipment load powered from a commercial power grid. The supplemental power supply includes a variable speed drive (7) that receives power from a commercial grid (5) in order to power an asynchronous motor (13), the asynchronous motor (13) turns a fly-wheel (17) to build and maintain a level of expendable kinetic energy in the fly-wheel. The fly-wheel (17) is connected to a synchronous alternating current generator (19) which is connected through an interrupt contactor (25) to a load (3) to provide a regulated alternating current voltage at a controlled frequency to the load (3) in the event of a power outage. Notably, Dean et al. do not describe resuming supply of power to the at least one essential device upon determining that power supplied by the generator and an uninterrupted power supply is returned to a level.

Claim 1 recites a method for supplying power, wherein the method comprises "supplying power to at least one critical device. . . supplying power to at least one essential device. . . remotely removing power to the at least one essential device while maintaining power to the at least one critical device. . . resuming supply of power to the at least one essential device upon determining that power supplied by the generator and an uninterrupted power supply is returned to a level."

Dean et al. do not describe nor suggest a method for supplying power as stated in Claim 1. Specifically Dean et al. do not describe nor suggest a method for supplying power that includes resuming supply of power to the at least one essential device upon determining that power supplied by the generator and an uninterrupted power supply is returned to a level. Rather, in contrast to the present invention, Dean et al. describe a supplemental power supply

providing supplemental power, following the failure of commercial power, for a period in which critical electrical equipment can pass into a shut-down mode (col. 10, lines 12-16), or in a different embodiment, providing lasting supplemental power to both critical and non-critical loads using a diesel engine in combination with a generator (col. 12, lines 23-52). Dean et al. describe increasing the period of time the supplemental power supply can provide power by cutting off non-essential electric loads (col. 10, lines 25-28), but do not describe resuming a supply of power to those non-essential loads once commercial power is returned to a level. Accordingly, for at least the reasons stated above, Applicant respectfully submits that Claim 1 is patentable over Dean et al.

Claims 2, 3, and 6 depend directly or indirectly from independent Claim 1. When the recitations of Claims 2, 3, and 6 are considered in combination with the recitations of Claim 1, Applicant submits that dependent Claims 2, 3, and 6 likewise are patentable over Dean et al.

Claim 7 recites an energy management system comprising “a generation module including at least one of a utility power source and a generating power source. . . a first set of at least one power distribution unit remote from said generation module and communicatively coupled to said generation module, wherein at least one of said at least one power distribution unit in the first set is connected to at least one essential device. . . a programmable logic controller configured to direct said at least one power distribution unit in the first set to resume supply of power to the at least one essential device upon determining that power supplied by said generation module is returned to a level.”

Dean et al. do not describe nor suggest an energy management system as stated in Claim 7. Specifically Dean et al. do not describe nor suggest an energy management system that includes a programmable logic controller configured to direct said at least one power distribution unit in the first set to resume supply of power to the at least one essential device upon determining that power supplied by said generation module is returned to a level. Rather, in contrast to the present invention, Dean et al. describe a supplemental power supply that provides supplemental power, following the failure of commercial power, for a period in which critical electrical equipment can pass into a shut-down mode (col. 10, lines 12-16), or in a different embodiment, a supplemental power supply that provides lasting supplemental power to both critical and non-critical loads using a diesel engine in combination with a

generator (col. 12, lines 23-52). Dean et al. describe increasing the period of time the supplemental power supply can provide power by cutting off non-essential electric loads (col. 10, lines 25-28), but do not describe resuming a supply of power to those non-essential loads once commercial power is returned to a level. Accordingly, for at least the reasons stated above, Applicant respectfully submits that Claim 7 is patentable over Dean et al.

Claims 8-18 depend directly or indirectly from independent Claim 7. When the recitations of Claims 8-18 are considered in combination with the recitations of Claim 7, Applicant submits that dependent Claims 8-18 likewise are patentable over Dean et al.

Claim 19 recites an energy management system comprising “a generation module comprising at least two power sources comprising a generator and a utility power source. . . at least two power distribution units remote from said generation module and communicatively coupled to said generation module, at least one of said power distribution units connected to at least one critical device, remaining of said power distribution units connected to at least one essential device. . . a programmable logic controller configured to direct at least one of the remaining of said power distribution units to resume supply of power to the at least one essential device upon determining that power supplied by said generating module is returned to a level.”

Dean et al. do not describe nor suggest an energy management system as stated in Claim 19. Specifically Dean et al. do not describe nor suggest an energy management system that includes a programmable logic controller configured to direct at least one of the remaining of said power distribution units to resume supply of power to the at least one essential device upon determining that power supplied by said generating module is returned to a level. Rather, in contrast to the present invention, Dean et al. describe a supplemental power supply providing supplemental power, following the failure of commercial power, for a period in which critical electrical equipment can pass into a shut-down mode (col. 10, lines 12-16), or in a different embodiment, providing lasting supplemental power to both critical and non-critical loads using a diesel engine in combination with a generator (col. 12, lines 23-52). Dean et al. describe increasing the period of time the supplemental power supply can provide power by cutting off non-essential electric loads (col. 10, lines 25-28), but do not describe resuming a supply of power to those non-essential loads once commercial power is


returned to a level. Accordingly, for at least the reasons stated above, Applicant respectfully submits that Claim 19 is patentable over Dean et al.

Claim 20 depends directly from independent Claim 19. When the recitations of Claim 20 are considered in combination with the recitations of Claim 19, Applicant submits that dependent Claim 20 likewise is patentable over Dean et al.

For at least the reasons set forth above, Applicant respectfully requests that the 35 U.S.C. §102(e) rejection of Claims 1-3 and 6-20 as being anticipated by Dean et al. be withdrawn.

In view of the foregoing remarks, all the claims now active in this application are believed to be in condition for allowance. Reconsideration and favorable action is respectfully solicited.

Respectfully Submitted,



---

Eric T. Krischke, Reg. No.: 42,769  
Armstrong Teasdale LLP  
One Metropolitan Square, Suite 2600  
St. Louis, MO 63102  
314-621-5070